

ENTERED

January 04, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**JOSE ROCHA, JR.,
"Plaintiff,"

v.

DOCTOR ALMEIDA, et al.,
"Defendants."§
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Civil Action No. 1:23-cv-00102

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

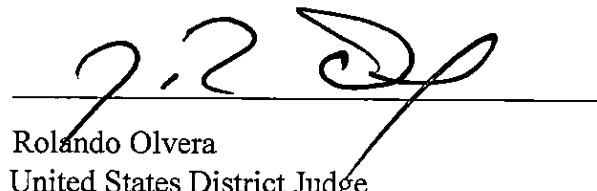
Before the Court is the "Magistrate Judge's Report and Recommendation" ("R&R") (Dkt. No. 33). The R&R (Dkt. No. 33) recommends this Court sua sponte dismiss Plaintiff's claims and direct the Clerk of the Court to close this case.

Objections were due December 19, 2023. Plaintiff did not file any objections. If there have been no objections to the magistrate's ruling, then the appropriate standard of review is "clearly erroneous, abuse of discretion and contrary to law." *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, abuse of discretion, or finding contrary to law, the R&R (Dt. No. 33) is **ADOPTED**.

Plaintiff's claims against Defendants Rafael Lucio, Corp. Ibarra, Sgt. Tapia, Dr. Almeida, Cameron County Jail nurses, and other unnamed jail officials are **DISMISSED with prejudice**. Plaintiff's claims against Defendants Corp. Rodrigues and Corp. Ayala are **DISMISSED without prejudice**. The Clerk of the Court is **ORDERED** to close this case.

Dismissal of this action counts as a strike for purposes of 28 U.S.C. § 1915(g). The Clerk of the Court is **INSTRUCTED** to send notice of this dismissal to the Manager of the Strikes List for the Southern District of Texas at Three_Strikes@txs.uscourts.gov. Plaintiff is **WARNED** that if he accumulates three strikes, he cannot proceed in forma pauperis in any civil action or appeal, unless he is under imminent danger of serious physical injury.

Signed on this 4th day of January, 2024.


 Rolando Olvera
 United States District Judge